

HOUSE BILL 88

By Marsh

AN ACT to amend Tennessee Code Annotated, Title 55,
Chapter 50, relative to military waivers for
commercial driver licenses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 55-50-404, is amended by adding the
following new subsection:

(e)

(1) The department shall waive the knowledge test required by
subsection (b) to obtain a temporary commercial learner's permit upon
application for a permit by an applicant who certifies on the application, and
submits supporting documentation as required in subdivision (e)(3), that the
applicant:

(A) Is or was regularly employed and designated as one (1) of the
following positions or military occupational specialties during the one-year
period immediately preceding the date of application:

- (i) A motor transport operator - 88M (Army);
- (ii) A PATRIOT launching station operator - 14T (Army);
- (iii) A fueler - 92F (Army);
- (iv) A vehicle operator - 2T1 (Air Force);
- (v) A fueler - 2F0 (Air Force);
- (vi) A pavement and construction equipment operator -
3E2 (Air Force);
- (vii) A motor vehicle operator – 3531 (Marine Corps); or

(viii) An equipment operator - E.O. (Navy); and

(B) Was or is operating a commercial motor vehicle in the United States armed forces that is representative of the license class and endorsement for which the person is applying, for at least one (1) year immediately preceding separation or discharge from the armed forces, in the case of an honorably discharged member, or for at least one (1) year immediately preceding the date of application, in the case of a member in active duty.

(2) The applicant shall also certify that during the one-year period immediately preceding the date of application, the applicant:

(A) Has not had more than one (1) driver license, except for a valid military commercial driver license;

(B) Has not had a driver license suspended, revoked, or canceled in this state or another state;

(C) Has not had any convictions while operating any type of motor vehicle for the disqualifying offenses contained in 49 CFR 383.51(b), and has not lost the privilege to operate a commercial motor vehicle, or been disqualified from operating a commercial motor vehicle, in this state or another state;

(D) Has not had more than one (1) conviction while operating any type of motor vehicle for serious traffic violations as defined in § 55-50-102 or contained in 49 CFR 383.51(c);

(E) Has not had a conviction for a violation of any military or state law or local ordinance relating to motor vehicle traffic control in this or

another state, other than a parking violation, arising in connection with a traffic accident; and

(F) Has no record of an accident in which the applicant was at fault.

(3) The application must be accompanied by the following documentation establishing the applicant's military occupational specialty and driving experience as indicated in subdivision (e)(1):

(A) Military orders or other documentation acceptable to the department establishing the applicant's military occupational specialty and current duty station assignment and a valid military identification card, if the applicant is on active duty; or

(B) If the applicant is honorably discharged from military service:

(i) The applicant's certificate of release or discharge, department of defense form 214 (DD 214), showing dates of service and that the applicant received an honorable discharge;

(ii) The applicant's AGO Form 53-55 or NAVPERS 553 showing the dates of service; or

(iii) The applicant's official NAVPERS-660 form, showing proof of honorable discharge.

(4) An applicant who obtains the knowledge test waiver under this subsection (e) must successfully complete any applicable vision and skills tests, and pay the appropriate fees, other than the skills testing fee.

(5) This subsection (e) does not apply to a United States reserve technician.

SECTION 2. For the purpose of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2023, the public welfare requiring it.